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9 **UNITED STATES DISTRICT COURT**

10 **NORTHERN DISTRICT OF CALIFORNIA**

11 DONALD WORTMAN, WILLIAM) Case No. CV-07-5634 CRB
 12 ADAMS, MARGARET GARCIA,)
 13 individually and on behalf of all others)
 similarly situated,) **DECLARATION OF LAUREN C.**
 14 Plaintiffs,) **RUSSELL IN SUPPORT OF**
 15 v.) **ADMINISTRATIVE MOTION TO**
 16 AIR NEW ZEALAND, LTD., *ET AL.*) **CONSIDER WHETHER CASES SHOULD**
 17) **BE RELATED (Civil Local Rules 3-12 &**
 18 Defendants.) **7-11)**

19 **This document relates to:**

20 *Kaufman, et al. v. Air New Zealand, Ltd., et al.,*) The Honorable Charles R. Breyer
 Case No. C-07-6417 JL)

1 I, Lauren C. Russell, declare as follows:

2 1. I am an associate with the firm Trump, Alioto, Trump & Prescott, LLP and am a
 3 member in good standing of the State Bar of California. This Declaration is based on personal
 4 knowledge, except where specified that information is based on information and belief, and if
 5 called to testify, I could and would do so competently as to the matters set forth herein. I am
 6 counsel for plaintiffs Martin Kaufman, Ireatha Diane Mitchell, Rosemary Schenk and Lemuel
 7 Schenk (“Plaintiffs”) in *Kaufman, et al. v. Air New Zealand, Ltd., et al.*, Case No. CV-07-6471
 8 JL. I submit this Declaration in support of Plaintiffs’ Administrative Motion to Consider
 9 Whether Cases Should be Related.

10 2. Attached hereto as Exhibit A is a true and correct copy of the complaint entitled
 11 *Kaufman, et al. v. Air New Zealand, Ltd., et al.*, Case No. CV-07-6471 JL (“*Kaufman*”), filed on
 12 December 19, 2007 in the Northern District of California and assigned to the Honorable James
 13 Larson.

14 3. The *Kaufman* action is a proposed class action on behalf of purchasers of
 15 passenger air transportation services containing transpacific flight segments from defendants.
 16 Like *Wortman, et al. v. Air New Zealand, Ltd., et al.*, Case No. CV-07-5643 CRB (“*Wortman*”),
 17 the *Kaufman* action alleges a conspiracy to fix, raise, maintain and stabilize the price of
 18 passenger air transportation services containing transpacific flight segments in violation of
 19 Section 1 of the Sherman Act, 15 U.S.C. §1.

20 4. On January 23, 2008, Judge Breyer entered an order relating the *Wortman* action
 21 and the following similar actions: 1) *Brenden Maloof v. Air New Zealand, Ltd., et al.*, Case No.
 22 CV-07-5811 CRB (“*Maloof*”), filed in the Northern District of California on November 15,
 23 2007; 2) *Robert Casteel III, et al. v. Air New Zealand, Ltd., et al.*, Case No. CV-07-6343 EMC
 24 (“*Casteel*”), filed in the Northern District of California on December 14, 2007; and, 3) *Micah*
 25 *Abrams v. Air New Zealand, Ltd., et al.*, Case No. CV-08-0339 MEJ (“*Abrams*”), filed in the
 26 Northern District of California January 17, 2008.

27 5. Like the *Wortman*, *Maloof*, *Casteel*, and *Abrams* actions, the *Kaufman* action
 28 alleges that defendants engaged in a conspiracy to fix the prices for passenger air transportation

1 services containing transpacific flight segments.

2 I declare under penalty of perjury under the laws of the United States that the foregoing
3 is true and correct. Executed this 29th day of December 2008 at San Francisco, California.

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5 /s/ Lauren C. Russell
6 Lauren C. Russell
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